

Case 1:09-bk-15680-GM Doc 54 Filed 05/07/10 Entered 05/07/10 15:47:17 Desc Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number Victor A. Sahn (CA Bar No. 97299) <b>Masala Document Page 1 of 2</b> SulmeyerKupetz, APC 333 South Hope Street, Thirty-Fifth Floor Los Angeles, California 90071-1406 Telephone: 213.626.2311 Facsimile: 213.629-4520		FOR COURT USE ONLY
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA</b>		
In re: TOLUCA LAKE VINTAGE, LLC, a California limited liability company,		CASE NO.: 1:09-bk-15680-GM
Debtor(s).		

### NOTICE OF SALE OF ESTATE PROPERTY

<b>Sale Date:</b> May 13, 2010	<b>Time:</b> 10:00 a.m.
<b>Location:</b> Courtroom 303, 21041 Burbank Boulevard, Woodland Hills, California 91367	

Type of Sale: ☐ Public ☒ Private Last date to file objections: May 10, 2010 by close of business

Description of Property to be Sold: Debtor's right, title, and interest in the real properties (2 parcels) located at 10639-10660 Woodbridge Street, Los Angeles, California [this includes 10648, 10654, 10656, and 10660 (First Parcel), 10639, 10645, 10649, and 10653 (Second Parcel). The real properties are located in the City of Toluca Lake.

Terms and Conditions of Sale: Purchaser shall pay \$8.3 Million for the benefit of the secured lender, Chinatrust Bank plus an indemnification of up to \$129,000 on account of the stop notice claim(s) of Vintage Plastering. Purchaser shall also commit to retaining a contractor to finish construction of the project whose development on the 2 Parcels commenced some years ago, with construction stopping in or about February 2009. The development consists of two buildings containing a total of 45 condominium units plus a rooftop swimming pool and recreation area on the roof of one of the two buildings. Finally, after an agreed-upon return on the purchaser's investment in the project, any subsequently realized proceeds will be distributed to the Debtor's creditors on a pro rata basis. The purchaser shall purchase the debt positions held in the 2 Parcels by Chinatrust Bank. It shall attempt to reach resolutions with the mechanics' lien claimants who hold claims on the properties. However, if a resolution cannot be reached with them or with any particular one of them, then the rights of such mechanic's lien creditors will be unaffected by the sale (other than perhaps the ability of the purchaser of the Chinatrust Bank indebtedness to foreclose out such mechanic's lien claims).

Proposed Sale Price: See above.

Overbid Procedure (If Any): None

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing: See above

Contact Person for Potential Bidders (include name, address, telephone, fax and/or e:mail address):

Victor A. Sahn (vsahn@sulmeyerlaw.com)  
SulmeyerKupetz, APC  
333 South Hope Street, 35<sup>th</sup> Floor  
Los Angeles, California 90071  
Telephone: 213.626.2311 / Facsimile: 213.629-4520

Date: May 7, 2010

Notice of Sale of Estate Property

In re:

TOLUCA LAKE VINTAGE, LLC

CHAPTER: 11

Debtor(s).

CASE NUMBER: 1:09-bk-15680-GM

**NOTE:** When using this form to indicate service of a proposed order, **DO NOT** list any person or entity in Category I. Proposed orders do not generate an NEF because only orders that have been entered are placed on a CM/ECF docket.

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
333 South Hope Street, Thirty-Fifth Floor, Los Angeles, California 90071-1406

A true and correct copy of the foregoing document described as **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d), and (b) in the manner indicated below:

**I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** - Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On May 7, 2010, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the e-mail address indicated below:

U.S. Trustee, S Margaux Ross  
Bernard Given, Esq., Attys for Chinatrust Bank (USA)  
William D. Schuster, Esq., Attys for HD Supply Construction Supply LTD

margaux.ross@usdoj.gov  
bgiven@frandzel.com  
bills@allieschuster.org

☐ Service Information continued on attached page.

**II. SERVED BY U.S. MAIL:** On May 7, 2010, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follow. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Geraldine Mund  
U.S. Bankruptcy Court  
21041 Burbank Blvd., Suite 342  
Woodland Hills, CA 91367-6606

☐ Service Information continued on attached page.

**III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL** (indicate method for each person or entity served): Pursuant to F.R.Civ.P.5 and/or controlling LBR, on \_\_\_\_\_ I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method ) by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service Information continued on attached page.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

May 7, 2010

Date

Andrea Gonzalez

Type Name

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

January 2009

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